

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN

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DRIFTLESS AREA LAND  
CONSERVANCY and  
WISCONSIN WILDLIFE  
FEDERATION,

Plaintiffs,

Case No. 19-CV-1007

v.

MICHAEL HUEBSCH,  
REBECCA VALCQ, and  
ELLEN NOWAK, Commissioners, and  
PUBLIC SERVICE COMMISSION OF  
WISCONSIN,

Defendants.

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**DECLARATION OF NON-PARTY ROBERT GARVIN IN SUPPORT OF HIS AND  
NON-PARTY WEC ENERGY GROUP'S RESPONSES TO PLAINTIFFS' MOTION TO  
COMPEL**

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I, Robert Garvin, declare as follows:

1. I have personal knowledge of the facts stated herein and, if called upon to do so, could and would testify competently thereto. The following is true and correct to the best of my knowledge and belief.
2. I am the Executive Vice President - External Affairs for Wisconsin Energy Group ("WEC"), a Wisconsin public utility holding company.
3. Neither WEC nor I were involved in the contested case before the Public Service Commission of Wisconsin ("PSC") that led to the above-referenced lawsuit. Neither WEC nor I had any involvement whatsoever in that PSC proceeding.



4. WEC has taken no position—nor does it have one—on where the Cardinal-Hickory Creek transmission line will be placed. While the PSC proceeding at issue was pending, the American Transmission Company (“ATC”) solicited WEC and other ATC members to submit a letter to the PSC in support of the subject transmission line project. WEC declined to do so. WEC also declined to intervene in the proceeding as a Party.
5. As a holding company for several regulated utilities, employees of WEC and its subsidiaries (including myself) are in regular—even daily—communication with regulatory staff about dozens, if not hundreds, of pending matters as well as day-to-day operations.
6. WEC is a partial owner of ATC because it was formed in 2000 by Wisconsin electric utilities and cooperatives that agreed to contribute their high voltage transmission lines to the new entity pursuant to Wis. Stat. § 196.485. Under state law, ATC is obligated to construct, operate, maintain, and expand transmission facilities to provide reliable, adequate transmission service on a non-discriminatory basis and is subject to the jurisdiction of the Federal Energy Regulatory Commission. Today, ATC is owned by 26 investor-owned electric utilities (or their holding companies), municipal electric utilities and electric cooperatives.
7. Thirty separate corporate entities fall under the WEC umbrella, only eight of which operate utilities. Of those eight utilities, five of them conduct business exclusively outside of the State of Wisconsin. Five of the utilities sell natural gas, not electricity, which is the utility service at issue in the Cardinal-Hickory Creek proceeding before the PSC.
8. WEC and its subsidiaries have more than 7,500 employees, not including additional



individuals who would qualify as WEC's "representative, ... , agent, board member, officer, or attorney," *plus* each "representative, employee, agent, board member, officer, or attorney" of WEC's many "affiliated entities, parent companies, and subsidiaries."

9. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 5, 2020.

/s/ Robert Garvin

Robert Garvin